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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

IN RE:)	Case No: 24-24597-A-13C
)	DCN: DPC-2
)	
AYANNA UMEKA SPIKES,)	TRUSTEE'S OBJECTION TO
)	DEBTORS DISCHARGE UNDER
)	11 U.S.C. §1328(f)
)	
)	DATE: FEBRUARY 19, 2025
)	TIME: 9:00 A.M.
)	JUDGE: CLEMENT
Debtor)	COURTROOM: 28, 7 TH FLOOR

DAVID P. CUSICK, STANDING CHAPTER 13 TRUSTEE, hereby moves the Court for an Order determining that Debtor(s) are not entitled to a discharge in this case:

DEBTOR MAY NOT BE ENTITLED TO A DISCHARGE IN THIS CASE:

Debtor filed a prior Chapter 13 on 6/15/2023, converted it to a Chapter 7 bankruptcy case on 9/12/2023, (case #23-21965) and received a discharge in that case on 12/7/2023 pursuant to 11 U.S.C. § 727;

1 Debtor subsequently filed the above referenced case under Chapter 13 on 10/12/2024

2 Pursuant to 11 U.S.C. §1328(f)(1), Debtor(s) are not eligible to receive a discharge in
3 this case as they received a discharge in a case filed under Chapter 7 during the four-year period
4 preceding the date of the order for relief in this case or a Chapter 13 filed in the two-year period
5 prior to the current case. FRBP 4004(a) appears to allow a motion to be filed under 11 U.S.C.
6 §1328(f)(1) to object to the discharge for this limited reason.

7 WHEREFORE, the Trustee asks that the Court enter an Order providing that upon
8 successful completion of this case, the case shall be closed without the entry of a discharge and
9 Debtor shall receive no discharge in case #24-24597

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12 Dated: 1/21/2025

/s/ Neil Enmark
Neil Enmark, Attorney for Trustee